

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Judge Philip A. Brimmer**

Civil Action No. 07-cv-00354-PAB-KLM

CHRIS BERNARD HUGHES, on behalf of himself and all others similarly situated,

Plaintiff,

v.

COLORADO DEPARTMENT OF CORRECTIONS, a Department of the State of Colorado, and  
RRK ENTERPRISES, INC., d/b/a INDEPENDENCE HOUSE, INC., a Colorado Corporation,

Defendants.

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**ORDER**

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This matter comes before the Court on plaintiff's Motion for Leave to Withdraw Motion for Class Certification [Docket No. 113]. Plaintiff seeks to withdraw his Motion for Class Certification [Docket No. 37]. Neither of the defendants remaining in this action oppose. Therefore, it is

**ORDERED** that plaintiff's motion to withdraw his motion for class certification [Docket No. 113] is GRANTED. It is further

**ORDERED** that plaintiff's motion for class certification [Docket No. 37] is DENIED as withdrawn. It is further

**ORDERED** that the hearing on plaintiff's motion for class certification set for 1:00 p.m. on Friday, February 20, 2009 is VACATED.

DATED February 18, 2009.

BY THE COURT:

s/Philip A. Brimmer  
PHILIP A. BRIMMER  
United States District Judge